

Panaji, 30th May, 2013 (Jyaistha 9, 1935)

SERIES II No. 9

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 8 dated 23-05-2013 namely, Extraordinary dated 28-05-2013 from pages 235 to 236 regarding Notification from Department of Elections (Goa State Election Commission).

GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Order

No. 8/15/2013-14/D.Agr/142

Ref: Order No. 8/15/2012/D.Agr/141 dated 06-06-2012.

Government is pleased to extend the deputation period of Shri Prakash Jamble, Dy. Director of Agriculture against the post of Managing Director of Sanjivani Sahakari Sakhar Karkhana Ltd., Dharbandora, for a further period of one year (2nd year) with effect from 07-06-2013 to 06-06-2014.

The deputation of Shri Prakash Jamble shall be governed by the standard terms and conditions of deputation as contained in O.M. No. 13/4/74/PER dated 12-02-1999 and as amended from time to time.

This issues with the concurrence of the Government.

By order and in the name of the Governor of Goa.

U. B. Pai Kakode, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 22nd May, 2013.

Order

No. 2/14/95/Agri(Part)Vol.II/144

Government is pleased to order transfer of the following Agriculture Officers of this Directorate against the post indicated against their names with immediate effect.

Sr. No.	Name of the Officer & Designation	Place of present posting	Place of posting on transfer
1	2	3	4
1.	Shri Anant Hoble, Zonal Agricultural Officer, Valpoi	Zonal Agriculture Office, Valpoi, Satari	As Agriculture Officer (PP) Plant Protection Section at Headquarters, Tonca, Caranzalem.
2.	Shri Kishore Bhawe, Agriculture Officer (PP)	Plant Protection Section, Headquarters, Tonca, Caranzalem	As Zonal Agricultural Officer, Zonal Agriculture Office Valpoi, Satari.

The officer at Sr. No. 2 shall move first and shall not be entitled for T.A/D.A as the transfer is done at his own request.

By order and in the name of the Governor of Goa.

U. B. Pai Kakode, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 22nd May, 2013.

Department of Education, Art & Culture

Directorate of Education

Notification

No. Acad/Misc-50/SEAB/2009/Pt. V/1300

Government is pleased to constitute the Goa School Education Advisory Council under the powers vested in as per amended Section 34 of Right to Education Act, 2009 with immediate effect for the purpose of advising the Government on

matters of policy relating to Education in the State of Goa.

The composition of the State Advisory Council shall as follows viz:

Sr. No.	Section of Right to Education	Name of the Members	Designations
1	2	3	4
1.	25 (1) (a)	Minister for Education	Chairman.
2.	25 (1) (c) (i)	1. K. T. Kavlekar	Member.
		2. Dr. Uday Gaonkar, Principal, Damodar HSS, Quepem	Member.
		3. Prof. Sukhaji Naik, Walawalikar College, Assagao	Member.
		4. Fr. Cedric S. J., Headmaster, St. Britto H/s, Mapusa	Member.
3.	25 (1) (c) (ii)	Dr. Gisell Lobo, Lect. Nirmala Institute of Education	Member.
4.	25 (1) (c) (iii)	Smt. Surekha Dixit, Vivekanand Pry, School, Ponda	Member.
5.	25 (1) (c) (iv)	1. Dr. Luis Vernal	Member.
		2. Shri Rahul Deshpande	Member.
6.	25 (1) (c) (v)	1. Prin. Uday Ballikar, Principal Damodar HSS, Margao	Member.
		2. Shri Jude Mascarenhas, Lecturer, People's HSS, Panaji	Member.
		3. Shri Mahadev Betkekar	Member.
		4. Dr. Celsa Pinto, Ex-Director	Member.
		5. Dr. Vrunda Pinto, Prof. St. Xavier's	Member.
		6. Sr. Liberata Fernandes, Headmistress, St. Michael High School, Vagator	Member.

1	2	3	4
7.	25 (1) (d)	Director of SCERT	Member.
		i. Dy Director of Education (academic)	Member.
		ii. SPD, RTE-SSA	Ex officio Member Secretary.

The members of the State Advisory Council shall hold office for a period of two years from the date of issue of this Notification.

The State Advisory Council shall regulate its own procedure. The term of office of every member of the Advisory Council and travelling and other allowances payable to members of the Advisory Council shall be such as prescribed under Section 25 of the Goa Right of Children to Free and Compulsory Education Rules, 2012.

By order and in the name of the Governor of Goa.

Anil Powar, Director (Education).

Porvorim, 17th May, 2013.



Department of Finance

(Rev. & Cont.) Division

Notification

No. 5/3/2006-Fin(R&C)(3)

In exercise of the powers conferred by sub-section (1) of Section 25 of the Goa Tax on Entry of Goods Act, 2000 (Goa Act 14 of 2000) (hereinafter referred to as the "said Act"), the Government of Goa, being of the opinion that it is necessary in public interest so to do, hereby exempts the tax payable under the said Act by Sanjivani Sahakari Sakhar Karkhana Limited, Dayanandnagar, Tisk, Usgao-Ponda, on entry of all goods in the area falling within the jurisdiction of Village Panchayat of Dharbandora, Sanguem Taluka, for use by them, with effect from 1st April, 2013 to 31st March, 2014.

By order and in the name of the Governor of Goa.

Ajit S. Pawasker, Under Secretary, Fin (R&C).

Porvorim, 27th May, 2013.

Department of Fisheries

Directorate of Fisheries

Order

No. 2-1-81-FSH

In exercise of the powers conferred by sub-sections (1) and (2) of Section 4 of the Goa, Daman and Diu Marine Fishing Regulation Act, 1980 (Act No. 3 of 1981), the Government of Goa, having regard to the need to conserve fish, hereby prohibits fishing by fishing vessels fitted with mechanical means of propulsion including canoes fitted without board or inboard motor along the sea coast of the State of Goa and the territorial waters of the State of Goa for a period of 61 days with effect from 1st June, 2013 to 31st July, 2013 (both days inclusive).

By order and in the name of the Governor of Goa.

Dr. Smt. Shamila Monteiro, Director & ex officio Joint Secretary (Fisheries).

Panaji, 27th May, 2013.

Department of Labour**Notification**

No. 28/1/2013-Lab/192

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 15-01-2013 in reference No. IT/47/12 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 22nd April, 2013.

IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT
GOVERNMENT OF GOA AT PANAJI

(Before Smt. Bimba K. Thaly, Presiding
Officer)

Ref. No. IT/47/12

Workmen,
Rep. by the General Secretary,
Goa Kamgar Karmachari Sena,
Trishul, Fair Bais,
Opp. Mapusa Clinic,
Mapusa, Bardez-Goa (403507). ... Workmen/Party I
V/s

M/s. Model Infra Corporation Pvt. Ltd.,
Plot No. L-1 3, Verna Industrial Estate,
Verna, Salcete, Goa (403722) ... Employer/Party II

Party I – Absent not represented.

Adv. Shri P. Chawdikar for Party II

AWARD

(Passed on 15th January, 2013)

In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), (for short the Act), the Government of Goa by order dated 02-03-07-2012 bearing No. 28/16/2012-LAB/358 has referred the following dispute for adjudication by this Tribunal.

“(1) Whether the following demands served by the Goa Kamgar Karmachari Sena, Mapusa, Goa, vide letter dated 14-12-2010 on the management of M/s. Model Infra Corporation Private Limited, Verna, Goa, are legal and justified?

CHARTER OF DEMANDS**(1) Demand No. 1: Flat Rise**

It is demanded that, all the Workmen shall be paid Rs. 5,000/- as Flat Rise over and above the existing salary as on 01-04-2010.

(2) Demand No. 2: Gratuity

It is demanded that, all the Workmen shall be given Gratuity at the rate of 70% of the Gross Salary.

(3) Demand No. 3: Fixed Dearness Allowance

It is demanded that, with effect from 01-04-2010, all Workmen shall be paid a Fixed Dearness Allowance of Rs. 2,500/- per month.

(4) Demand No. 4: Variable Dearness Allowance

It is demanded that, with effect from 01-04-2010, all Workmen shall be paid a Variable Dearness Allowance at the rate of Rs. 3/- per point over and above base 2500 points (AAICP 1960=100) and the Variable Dearness Allowance (VDA) shall be revised once in 3 months.

(5) Demand No. 5: Conveyance Allowance

It is demanded that, with effect from 01-04-2010, the management shall pay to all of their employees a sum of Rs. 2,000/- per month towards Conveyance Allowance.

(6) Demand No. 6: House Rent Allowance

It is demanded that all the Workmen shall be paid House Rent Allowance of Rs. 3,000/- per month over to the existing salary.

(7) Demand No. 7: Lunch Allowance

It is demanded that all the Workmen shall be paid Rs. 1,000/- per month and shall be provided with subsidized food facility.

(8) Demand No. 8: Education Allowance

It is demanded that, all Workmen shall be paid an Educational Allowance of Rs. 1,000/- per month.

(9) Demand No. 9: Leave Travel Allowance

It is demanded that, all Workmen shall be given one month gross salary per annum.

(10) Demand No. 10: Medical Allowance

It is demanded that, all Workmen shall be given Rs. 1,000/- per month as Medical Allowance.

(11) Demand No. 11: Shift Allowance

It is demanded that, all Workmen shall be paid a Shift Allowance at the rate of Rs. 30/- for the first shift, Rs. 50/- for second shift and Rs. 80/- for third shift.

Tea Break - 2 times per shift.

1st shift - 9.30 to 9.45 and 13.45 to 14.00 hrs.

2nd shift - 5.30 to 5.45 and 9.45 to 10.00 hrs.

(12) Demand No. 12: Overtime

It is demanded that Overtime should be paid on gross salary or choice to choose over/compensatory off.

(13) Demand No. 13: Washing Allowance

It is demanded that, with effect from 01-04-2010, all Workmen shall be paid Washing Allowance at the rate of Rs. 250/- per month.

(14) Demand No. 14: Canteen Facility

It is demanded that all Workmen shall be provided with subsidized food and breakfast for all shifts.

(15) Demand No. 15: Uniform

It is demanded that all Workmen shall be provided with 2 pairs of Uniforms in the month of January every year.

(16) Demand No. 16: Safety Shoes

It is demanded that, all Workmen shall be provided with one pair of Shoes in the month of January every year.

(17) Demand No. 17: Insurance Policy

It is demanded that, all Workmen shall be covered under the group personal accident Insurance Policy. The accident cover for each Workman shall be at amount of Rs. 3.00 lakhs, each employee shall be insured on for 24 hours.

(18) Demand No. 18: Period of Settlement

Period of Settlement is for 36 months with effect from 01-04-2010 to 31-03-2013.

(19) Demand No. 19: Bonus

It is demanded that, all Workmen shall be paid Bonus every year at the rate of 20% on the salary earned during financial year without any ceiling. The bonus shall be paid 15 days before the festival of Ganesh Chaturthi.

(20) Demand No. 20: Loan Facility

It is demanded that, all Workmen shall be provided with an interest free Loan of Rs. 2.00 lakhs for construction of house, purchase of plot, marriage which shall be recovered in 60 equal installments.

(21) Demand No. 21: Festival Advance

It is demanded that, all Workmen shall be paid a festival advance of Rs. 5,000/- for anyone of the festivals (Ganesh Chaturthi, Deepavali, Christmas, ID). The amount paid shall be recovered in Ten (10) equal installments of Rs. 500/- per month.

(22) Demand No. 22: Leave Facility

It is demanded that, all Workmen shall be provided with following leave facilities:

(A) *Privilege Leave*: 30 days per annum (to be accumulated for a period of 200 days).

(B) *Casual Leave*: 10 days per annum.

(C) *Sick Leave*: 8 days per annum (to be accumulated for a period of 40 days).

(D) *Holidays*: 14 days per annum (to be finalized by Union/Management).

(24) Demand No. 23: Transport Facility

It is demanded that all Workmen shall be provided free transport from Margao, Vasco, Panaji for 1st shift, 2nd shift and 3rd shift.

(2) If the answer to issue No. (1) above is in the negative, then, to what relief the Workmen are entitled?"

2. On receipt of the reference, a case was registered under No. IT/47/12 and registered A.D. notices were issued to the parties. Though Party I was served, it did not remain present before the Court to file the claim statement however Adv. Shri P. Chawdikar appeared on behalf of Party II and filed the Vakalatnama. Thereafter, several opportunities were given to Party I to appear and file the claim statement but Party I did not avail of the said opportunities. In

the course of further proceedings, even Learned Advocate for Party II stated that he does not wish to file anything in defence and accordingly the matter was fixed for award.

3. It may be mentioned here that the reference of the dispute has been made by the State Government at the instance of the Party I/Workmen. The action of the management in not following the demands served upon it by Party I/Union has been challenged by the Party I/Workmen by raising the Industrial Dispute. It is a settled law that if a Party makes any demands, the burden lies upon that party to prove the justification for such demands. It was therefore incumbent upon the Party I/Workmen to have appeared and substantiated their allegation that the action of the management in not granting their demands was illegal and unjustified.

4. In the above context reference is made to the judgment in the case of **V. K. Raj Industries v/s Labour Court (1) and others 1981 (29) F.L.R. 194** wherein the Allahabad High Court has held as under:

"The proceedings before the Industrial Court are judicial in nature, even though the Indian Evidence Act does not apply to the proceedings but the principle underlying the said Act is applicable to the proceedings before the Industrial Court. In a Judicial proceeding if no evidence is produced the party challenging the validity of the order must fail. It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail."

5. The observations in the above judgment also indicate that if the Workman fails to appear or to file written statement or to produce evidence, the dispute referred by the State Government cannot be answered in favour of the Workman and he would not be entitled to any relief.

6. In the instant case, as stated by me above, the dispute was referred by the State Government at the instance of the Party I/Workmen and therefore the burden was on the Party I/Workmen to prove that the demands raised by them upon the management of Party II were legal and justified. However, Party II/Workmen did not file the statement of claim nor produce any evidence as a result of which, there is no material before this Court to hold that the demands raised by them are legal and justified. In the circumstances, I hold that Party I/Workmen have failed to prove that

their demands are legal and justified and hence I pass the following:

ORDER

1. It is hereby held that the demands served by the Goa Kamgar Karmachari Sena, Mapusa, Goa, vide letter dated 14-12-2010 on the management of M/s. Model Infra Corporation Private Limited, Verna, Goa, are illegal and unjustified.

2. No order as to costs.

Inform the Government accordingly.

Sd/-
(B. K. Thaly),
Presiding Officer,
Industrial Tribunal-
cum-Labour Court.

Notification

No. 28/1/2013-Lab/200

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 08-01-2013 in reference No. IT/71/99 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 22nd April, 2013.

IN THE INDUSTRIAL TRIBUNAL-CUM-
-LABOUR COURT
AT PANAJI-GOA

(Before Smt. Bimba K. Thaly, Presiding
Officer)

Ref. No. IT/71/99

Shri Maruti P. Jadhav,
Post Ghanwad, Taluka Khanapur,
District Sangli,
Maharashtra State,
Pin Code 415311.

... Workman/Party I

V/s

M/s. Marpol Chemicals Limited,
2nd Floor, Panaudikar Chambers,
M. L. Furtado Road, P. B. 7000,
Margao-Goa.

... Employer/Party II

Workman/Party I represented by Adv. Shri B. P. Shinde.

Employer/Party II represented by Adv. Shri M. S. Bhandodkar.

AWARD

(Passed on this 8th day of January, 2013)

By order dated 17-6-1999, the Government of Goa, in exercise of powers conferred by Section 10 (1) (d) of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication.

- “(1) Whether Shri Maruti P. Jadhav of M/s. Marpol Chemicals Limited, Margao, is a Workman within the meaning of Section 2(s) of the Industrial Disputes Act, 1947?
- (2) If so, whether the action of the management of M/s. Marpol Chemicals Limited, Margao, in terminating the services of Shri Maruti P. Jadhav, Sr. Chemist, with effect from 30-11-1997 is legal and justified?
- (3) If the answer to (2) above is negative to what relief the Workman is entitled?”

2. The reference was registered under No. IT/71/99 and notices were issued to both parties. In pursuance, the parties put in their appearance. The Workman/Party I filed statement of claim at Exb. “3”. The Employer/Party II filed written statement at Exb. “4”. The rejoinder of the Party I is at Exb. “6”.

3. The Party I had joined services of the Party II on 15-12-1992 as a Probationer. He was confirmed in service w.e.f. 1-9-993 and was placed in Grade VIII. Thereafter his scale was revised and he was placed in Grade IX. The Party I was issued memo dated 26-9-1995, which was duly replied. By letter dated 30-10-1995, the services of the Party I were terminated with immediate effect on the ground of insubordination and unsatisfactory performance.

4. The Party I claims that he had got an offer from J. K. Powder Coats Miraj, to the post of Process Manager w.e.f. 1-1-1996 on salary of ₹ 7,000/- per month and ₹ 1,100/- towards conveyance allowance. The Party I claims that on learning about the said offer the Party II called him and requested him to continue his service with Party II and assured to pay to him the same salary that was offered by J. K. Powder Coats. The Party I once again joined services with Party II from 20-12-1995.

5. The Party I claims that from 26-5-1997, the management of Party II started finding lame

excuses and thereafter he was not allowed to enter the factory from 27-5-1997. By letter dated 24-11-1997, he was informed that the Party II had lost confidence and trust in him and he was advised to take his own decision. The Party II replied to the said letter. By letter dated 24-11-1997 the Party I was informed that his services were not required from 1-12-1997 and that it was decided to terminate his services in the interest of the Company.

6. The Party I has claimed that though he was appointed as ‘Supervisor-Power Coating’ and sometimes referred as ‘Officer Laboratory or Chemist’. He has never worked in Supervisory or Managerial capacity. The Party I has stated that his work was testing samples of raw materials, products manufactured, preparation of films of paints and checking their properties preparing reports etc. The Party I has stated that this required material mixing, extrusion, grinding etc. he was required to do manual, skilled and technical operational and clerical work. There was no subordinate to help him or assist him except on exceptional occasion. The Party I has stated that duties performed by him were that of a ‘Workman’ and that he was paid overtime for extra hours of work. The Party I therefore claims that he is a “Workman” within the meaning of the Industrial Disputes Act, 1947.

7. The Party I has stated that his termination was not simpliciter but was punitive. His services are terminated without any inquiry and in violation of principles of natural justice. The Party I therefore claims that his termination is illegal. The Party I has therefore sought reinstatement, with continuity in services, damages and back wages.

8. The Party II has claimed that the Party I was performing duties in managerial and/or administrative and/or supervisory capacity and he was drawing wages exceeding ₹ 1,600/- per month. The Party II has stated that the Party I was employed as a Supervisor and thereafter he was promoted as Officer, Laboratory. The Party II has stated that at no point of time the Party I performed duties of Workman. The Party II has stated that the Party I was the head of Quality Control Department and had employees working under him and under his supervision. He was not only supervising and controlling the staff working under him but was also responsible for recommending/sanctioning their leave, overtime etc. As a head of the Quality Control Department his duties amongst others were planning, organizing,

directing, requisitioned and monitoring resources required for functioning of the Department. He was required to train chemists and workers to carry out the tests and other jobs. He had to work out the quality control system and implement the same. The Party I had authority to approve laboratory test reports, issue purchase requisitions, sanction leave, allot work, correspond with various authorities etc.

9. Based on the aforesaid pleadings, the following issues were framed:

1. Whether the Party I proves that he is a Workman within the meaning of Section 2(S) of the Industrial Disputes Act, 1947?
2. Whether the Party I proves that the termination of his service by the Party II w.e.f. 30-11-1997 is illegal and unjustified?
3. Whether the Party I proves that he is entitled to the damages as claimed in para 9 of the claim statement?
4. Whether the Party I is entitled to any relief?
5. What Award?

In the course of the evidence Party I, Shri Maruti Jadhav examined himself as witness No. 1 and closed the case. On the other hand Party II examined its Jt. General Manager (Manufacturing) Shri Paresh G. Nayak as witness No. 1 and Shri Surendra Dessai, Executive Development as witness No. 2 and closed the case.

10. Both the Lnd. Advocates appearing for the respective parties besides filing written submissions also advanced oral arguments.

11. I have gone through the records of the case and have duly considered the arguments of both the parties. My findings on the issues and the reasons for the same are as under:

- | | |
|--------------|---------------------|
| Issue No. 1: | Negative. |
| Issue No. 2: | Does not arise. |
| Issue No. 3: | Does not arise. |
| Issue No. 4: | Negative. |
| Issue No. 5: | As per order below. |

12. REASONS:

Issue No. 1: As rightly pointed out by Lnd. Advocate for Party II only in case Party I succeeds in proving issue No. 1, this Court would get jurisdiction to try and entertain the present dispute and therefore the entire case set up by Party I, basically rests on issue No. 1.

13. Lnd. Advocate for Party I relied on the judgment in the case of **Union Carbide (India) Ltd. v/s D. Samuel and Ors. 1999 LLR 21** in which the Hon'ble High Court of Bombay has referred to certain tests laid down by the Hon'ble Apex Court to find out whether a particular person is a Workman or not. It is observed in this judgment that a supervisor must be in a position to bind his employer in respect of a decision that he has taken or in exercise of such power have control on them.

14. He also relied on the judgment in the case of **R. A. Gonsalves since deceased through heirs v/s Hotel Corporation of India Ltd. and Another 2004 (3) Mh. L.J. 949** contending that the dominant nature of work performed by the employee must be the first test for consideration as to whether an employee is an Workman or not as defined u/s 2(s) of the Industrial Disputes Act. viz-a-viz the above observations he stated that merely because Party I herein is referred to as the Sr. Chemist, he cannot be called as a Workman unless the nature of work performed by him is looked into.

15. He then relied on the judgment in the case of **Jayhind Vithoba Mahadik v/s General Manager, Maharashtra Scooters Ltd. 2004(3) Mh. L.J. 733** in which it is held that nomenclature does not in any manner establish status of person working in an establishment and that the nature of work that the person performs is required to be considered.

16. On the other hand Lnd. Advocate for Party II by relying on the judgment in the case of **V.N.S. Engineering and Services Company v/s Industrial Tribunal, Goa, Daman & Diu and Anr. 1987 II L.L.N. 968** submitted that the burden of proof regarding legality of termination of services lies on the person who approaches the Court and the party who makes the allegations should lead evidence to establish the same and party seeking relief and causing reference should prove his case and therefore the burden lies on employee who caused the reference to prove that his termination is illegal.

17. He then by relying on the judgment in the case of **S. K. Maini v/s Carona Sahu Co. Ltd. and Anr. 1994 II CLR 359** contended that principle nature of duties and functions of an employee are required to be determined to find out if he is a Workman and that the designation of an employee is not important.

18. He also relied on the judgment in the case of **M/s. Prakash Talkies, Badaun v/s State of Uttar Pradesh and Anr. 2003 L.L.R. 1133** in which it is observed that the main nature of work performed should be responsibilities of the posts and also whether the employee could take independent decisions and bind the company etc.

19. By relying on the judgment in the case of **Tata Sons Ltd. v/s S. Bandyopadhyay and Anr. 2004(4) L.L.N. 548** he stated that what is important is whether there is involvement of considerable amount of mental inputs, creativity and imagination to find out if a person is a Workman or not.

20. He also relied on the judgment in the case of **Ramesh s/o Ramrao Wase v/s The Commissioner, Revenue Division, Amaravati 1996 1 L.L.J. 55** in which it is observed that in order to dub the work as 'supervisory' the person concerned should have control over the subordinates and should have power to sanction the leave etc. By pointing to the connotation of the word 'technical', it is observed in this judgment that all the work which requires technical knowledge need not necessarily be technical work as in the technical work there would hardly be any scope for judging, opining or evaluating.

21. He also relied on the judgment in the case of **U.P. State Electricity Board and Anr. v/s Aziz Ahmed 2009 1 CLR 690** in which case the Workman had claimed 'equal pay for equal work' on the basis of his contention that his post as 'Boiler Overhauling Mechanic' is equivalent to the post of 'Boiler Mistry' and the Tribunal accepting his case passed the award and even the Writ Petition filed by the employer was upheld. However, in the civil appeal the Hon'ble Apex Court held that the findings of the Tribunal are incorrect and that the burden to prove a particular fact is always on the person who alleges the same and the Workman was therefore required to prove and establish the aforesaid facts by leading cogent and reliable evidence and he was required to place documentary evidence in support of the same. By referring to the above observations, Lnd. Advocate for Party II submitted that Party I herein has not placed any documentary evidence on record to prove that he was a Workman.

22. It is therefore clear from the above settled propositions of law that the primary burden to prove that he is a Workman is on Party I and that mere nomenclature does not establish the status of person working in an establishment but the nature of work that he performs is required to be

considered. Hence, it is required to find out from evidence on record if Party I herein has succeeded in proving that he is a Workman within the meaning of Section 2(s) of the Act.

23. Shri Maruti Jadhav in his examination in chief has produced only four documents which are his pay slips for the month of February, 94, April, 94, September, 94, March, 95, January, 96, February, 96 and November, 96 at Exb. W1 colly; his ESI receipts No. 276834 at Exb. W2, his identity card issued by ESI Corp. at Exb. W3 and copy of test report of Thermal Analysis System at Exb. W4. Thus, it is clear that Party I has not produced any document showing the nature of duties, which he was required to perform as a Workman.

24. In his cross-examination Party I has admitted that he had made application dated 28-7-92 to Party II for employment and this application is at Exb. E1. Reading of Exb. E1 makes it clear that Party I had applied for the post of Quality Control/Supervision in Development. This application further makes it clear that at the time when it was made Party I had worked in Polycoat Powders Ltd. in quality control/supervisions and development of shades four and half years. It is therefore clear from above that Party I was working in the supervisory capacity in Polycoat Powders Ltd. before applying for such post in Party II and it is obviously for this reason Party I applied for the post of Quality Control/Supervisions in Party II. It is not dispute that the biodata from filled in by Party I in his hand writing and he has also admitted that when he was working with Polycoat Powders Ltd. his immediate superior was General Manager Mr. S. G. Kulkarni. He was also shown a certificate dated 13-12-92 (Exb. E3) and he has admitted that the same has been issued to him by one Shri S. R. Kulkarni, the partner of J. K. Powder Coats. Party I has admitted that the offer of employment given to him by Party II for the post of Supervisor-Powder Coatings is at Exb. E4 and that he has accepted the said offer and vide Exb. E5 dated 15-12-92, he had joined Party II. It is also not disputed that vide letter dated 18-9-93 (Exb. E7) Party I was confirmed in the services as Supervisor-Powder Coating by Party II.

25. It is therefore clear from the above documentary evidence brought on record by Party II and which is not disputed by Party I that Party I was holding the post in supervisory capacity, with Party II as otherwise his immediate supervisor would not have been General Manager Mr. S. G. Kulkarni.

26. In his examination in chief, Party I has stated that despite his such designation his work throughout his service was that of a Workman and was never in managerial and supervisory capacity by further elaborating in para 2 of his affidavit the tests which were required to be carried out by him under the supervisors instructions and then report the same to the supervisors for final approval. He has stated that some of these tests required material mixing, extrusion, grinding and other things for which purpose he was required to do manual, skilled, technical, operational and clerical work and there was no subordinate to help or assist him except on exceptional occasions. In his cross-examination he has stated that the work of chemist was to test the samples of raw materials, tests the samples of products manufactured, preparation of film paints, checking their properties and preparing the reports. He has also stated that the tests mentioned by him at para 2 (I to V) of his affidavit were done by the chemist. In this context it is essential to refer to the evidence of Shri Surendra Dessai who has stated that his duties amongst others were of material mixing, extrusion, grinding etc. The above statement of Shri Surendra Dessai is not specifically denied in his cross-examination. Thus, it is clear that Party I was supervising the work done by the chemists and this is because the designation of Party I at the time of his appointment was in the supervisory cadre.

27. Party I has stated that while checking the properties of resin and powder paints for some products, DSC test was required to be undertaken with the help of Thermal Analysis System and he was required to personally operate the said system. He has produced the copy of said test report at Exb. W4. In his cross-examination Party I has stated that the Thermal Analysis System is a computer operated machine and whatever information is fed in the said machine, the same could be obtained by operating the said machine. No doubt, Shri Paresh G. Naik in his cross-examination, has stated that he cannot definitely say as to whether Party I alongwith other chemists was operating Thermal Analysis System machine and has admitted that the name of the concerned employee who operates the said machine is required to be mentioned in the report but from the very admission of Party I that whatever information is fed in the machine the same could be obtained by operating the said machine, the possibility of Party I feeding his name in the said machine to get the required information, cannot

be ruled out and therefore the suggestion put to Shri Paresh G. Naik that only because Party I has operated the said machine, his name appears in Exb. W4 appears to be convincing. Thus, for this reason, even the statement made by Shri Surendra Dessai, in his cross-examination that the person who conducts the test is required to prepare the test report and sign the same, is of no consequence, on account of above mentioned discussion.

28. Party I has stated that he was never the head of any department; that he was never authorized to grant leave of any worker except on some occasions as per the oral directions of the G. M. when he had to sign the leave applications of the co-workers and also he was compelled to sign the OT slips of co-workers in the absence of HOD. He has stated that the General Manager on some occasions compelled him to sign the issue slips and that on 29-6-96 and 30-6-96 he was on sick leave but was compelled to sign back dated issue slips.

29. In his cross-examination, Party I was shown leave forms/leave records and he has admitted his signatures on them and they are produced at Exb. E8 colly. He was also shown OT slips and Party I has admitted his signatures on the same. They are produced at Exb. E9 colly. Party I has however stated that he signed on Exb. E8 colly and Exb. E9 colly as per the instructions from Mr. R. V. Amonkar and has denied the suggestion that he had signed the same because he was the head of the Laboratory and was performing supervisory duties.

30. Shri Surendra Dessai has also stated in his cross-examination that whenever leave applications are submitted by the employees, they are required to be recommended by their immediate supervisors and that Party I used to recommend as well as approve his leave.

31. Perusal of Exb. E8 colly makes it clear that Party I has signed on some of them in the column meant for 'dept. head' and on some as 'sanctioning authority' and there is nothing in Exb. E8 colly indicating that Party I had signed on them 'by order' or on behalf of anyone. As regards Exb. E9 colly which are the overtime slips, Party I has signed on the same below the words 'authorised by' which means that Party I had authority to issue such slips. Even on these slips, there is nothing to indicate that Party I signed on them 'by order' or on behalf of anyone. Thus, Party I cannot be heard to say that he signed Exb. E8 colly and Exb. E9 colly as per the instructions from Mr. R. V. Amonkar

and on the contrary the above act of Party I gives a clear indication that his decisions could bind Party II. Being so, the observations in the judgment in the case of **Union carbide and Ramesh (both cited supra)** apply to the situation in hand.

32. As regards the issue slips, Party I was shown the same in his cross-examination and the same are produced at Exb. E11 colly. Though Party I has stated that he was compelled to sign the back dated issue slips and that on 29-6-96 and 30-6-96 he was on casual leave being sick and has lost the medical certificate and even upon enquiry he was informed that hospital does not keep records beyond three years, the above statements of Party I cannot be believed firstly for the reasons that he has not produced anything on record in writing to establish that any enquiries as above were made by him with the hospital authorities and secondly for the reasons that no prudent man and more particularly a person like Party I who is a graduate, would sign back dated slips without any reason. Thus, it is clear that Party I had signed Exb. E11 on 29-6-96 itself.

33. There is otherwise no dispute that Party I was promoted as Officer Laboratory vide letter of Party II dated 1-4-96 and this is at Exb. E6. This document reveals that the basic salary of Party I was ₹ 4,100/-, HRA ₹ 700/-, TA ₹ 450/- and in addition he was entitled to reimbursement of medical expenses not exceeding ₹ 1,800/- p.a. Party I has stated that he was insured with Employees State Insurance Scheme, Goa from the date of appointment by Party II since he was a Workman. He has produced the ESI receipt and identity card at Exb. W2 and Exb. W3 respectively. In his arguments Lnd. Advocate for Party I submitted that Party I was covered under ESI facility only because he was a Workman and that the above ESI card of Party I is revalidated upto 31-5-97. It may be mentioned here that Exb. E6 clearly provides for reimbursement of medical expenses for Party I, not exceeding ₹ 1,800/- p.a. and Party I has failed to justify as to why the above facility was made available to him if he was covered under ESI scheme. That apart, though there is remark as 'revalidated upto 31-5-97' on the reverse of Exb. W2, a careful perusal of the same reveals that the same has been signed by one manager without mentioning his designation below the word 'manager'. Even for that matter, Party I has not disclosed as to which authority and under what circumstances this card was revalidated and therefore merely because of existence of such remark on Exb. W2 one cannot

arrive at the conclusion that Party I was covered under ESI scheme and hence is a Workman.

34. Lnd. Advocate for Party I by inviting my attention to the pay slips of Party I at Exb. W1 colly submitted that Party I was paid overtime regularly as and when he did overtime duty and he was paid as such only because he was working in workers category. Nevertheless, Lnd. Adv. for Party II by inviting my attention to Section 59 of the Factories Act submitted that under this Act, all the employees irrespective of their designation are entitled to overtime and therefore Exb. W1 colly cannot be read to mean that Party I is a Workman. In the context of above, Lnd. Adv. for Party II relied on the judgment in the case of **Jeewanlal Ltd. and Ors v/s Appellate Authority under the Payment of Gratuity Act and Ors. (1984) 4 SCC 356** in which it is observed that even if the statute is a social welfare legislation, question of adopting beneficent construction does not arise in the absence of any ambiguity in the language. By referring to the above observations, Lnd. Adv. for Party II submitted that parameters of coverage under different Acts are different and therefore merely because Party I herein was sometimes granted overtime, it would not mean that he comes within the ambit of the Industrial Disputes Act. I find force in the above submissions of Lnd. Advocate for Party II and even otherwise merely because Party I was sometimes paid overtime, the same would not lead me to draw conclusion that he is a Workman and this is because the discussion above reveals that the dominant nature of the duties which were performed by Party I were in supervisory category and apparently Party I had been drawing wages exceeding ₹ 1,600/- per month.

35. It may be mentioned here that after his initial appointment in the year 1992, Party I was given a memo dated 15-2-94 which is at Exb. E10/Exb. E29 and explanation was called for from Party I and subsequently he was given an opportunity to improve his conduct. Subsequently Party I was issued another memo dated 26-9-95 (Exb. E31) and explanation was called for from Party I which he gave. Later, the services of Party I were terminated vide letter dated 30-10-95 (Exb. 32).

36. In the above context, Lnd. Advocate for Party I by inviting my attention to the declaration by Mr. M. N. Joshi, Sales Manger (Tech.) on Exb. E10 submitted that as per this declaration Party I during his visit at Bombay office in December, 93 criticized Mr. R. V. Amonkar, Produc-

tion Manager and Mr. Santosh Kumar, Dy. Production Manager for not giving him proper support in all the experiments and therefore according to him, it is apparent that, the Party I was conducting the experiments and hence he is a Workman. It may be mentioned here that there is nothing in this declaration that Party I was personally conducting the experiments and since evidence on record makes it clear that Party I was supervising the chemists, the above statements could also mean that above named persons were not giving support in the experiments conducted by the workers working under Party I. Further, by inviting my attention to Exb. E31 Lnd. Advocate for Party I contended that the contents of this letter indicate that Party I was carrying out the experiments and also that he was a chemist. Upon going through this letter, it is noted that it does not in clear terms indicate that Party I was personally carrying out the experiments or that he was a chemist and even for that matter the statements made by Party I in his cross-examination and to which reference has been made above make it clear beyond doubt that certain tests mentioned by him in his affidavit are done by chemists. Being so the contents of Exb. E10 and Exb. E31 do not go to advance the case of Party I, of he being a Workman.

37. Contrary to above, there appears to be substance in the arguments of Lnd. Advocate for Party II by referring to Exb. E10/Exb. E29 that no Workman is expected to criticize Factory Management and Sr. Factory Personnel, at Bombay office, unless he holds some responsible position in the Company and therefore this itself makes it clear that the case projected by Party II is more probable one.

38. In his cross-examination, Party I was shown tests report and he has identified his signatures on the same. The same are marked as Exb. E12 colly. In the test report dated 2-7-96 Party I has signed for having checked and certified the said reports, in reports dated 26-7-96, 25-7-96, 22-8-96, 21-8-95, 21-8-96, 1-8-96 and 19-7-96 Party I has admitted of having signed as Head of Laboratory and therefore even these documents go to establish the designation of Party I, as above.

39. It is the contention of Party I that after his services were terminated vide Exb. E32 dated 30-10-95, he got an offer dated 9-11-95 (Exb. E13) from J. K. Powder Coats, Miraj as Process Manager, however the General Manager of Party II induced him to continue with the factory with promise to pay the same salary equal to that mentioned by J.

K. Powder Coats alongwith other emoluments and asked him orally to join from 20-12-95. In his cross-examination Party I has admitted that vide Exb. E13 he was appointed as Process Manager and in this context Lnd. Advocate for Party II rightly contended that if Party I was a Workman, J. K. Powder Coats would not issue appointment letter, appointing him as Process Manager and therefore even this document goes to indicate that Party I fell in non-Workman category.

40. Thus, from the discussion above, it becomes clear that Party I has failed to prove issue No. 1. Hence my findings.

41. *Issue Nos. 2 and 3:* Since Party I has failed to prove issue No. 1, the question of answering these issues does not arise. Hence My findings.

42. *Issue No. 4:* In view of discussion supra Party I is not entitled to any relief.

43. In view of above, I pass the following.

ORDER

1. It is hereby held that Shri Maruti P. Jadhav of M/s. Marpol Chemicals Limited, Margao, is not a Workman within the meaning of Section 2(s) of The Industrial Disputes Act, 1947.
2. It is further hereby held that the action of the management M/s. Marpol Chemicals Limited, Margao, in terminating the services of Shri Maruti P. Jadhav, Sr. Chemist, with effect from 30-11-97 is legal and justified.
3. Party I, Shri Maruti P. Jadhav is therefore not entitled to any relief.
4. No order as to costs.

Inform the Government accordingly.

Sd/-
(B. K. Thaly),
Presiding Officer,
Industrial Tribunal-
cum-Labour Court-I.

Department of Law & Judiciary

Law (Establishment) Division

Order

File No. LS/1077/93(Part)/786

- 1) Government Order No. LS/1077/93 (Part) dated 21-6-2012.

2) Government Order No. LS/1077/93 (Part) dated 17-01-2013.

Government of Goa in consultation with the Ld. Advocate General of the State of Goa is pleased to include the names of four (4) Advocates i.e. 1) Shri Arjun Bobde 2) Ms. Basuri Swaraj 3) Ms. Pinky Anand and 4) Shri Nirup Reddy in the Panel of State Standing Counsels in the Supreme Court of India for appearing before Hon'ble Supreme Court of India in the matters for defending the interest of Government of Goa, with immediate effect on the following terms and conditions:

1. The allotment of cases before Hon'ble Supreme Court of India for defending the interest of Government of Goa will be made by the Ld. Advocate General of the State of Goa.

2. The Standing Counsel has to keep the Ld. Advocate General of State of Goa informed well in advance of the date of hearing of the matter and also seek his instruction from time to time.

3. No Counsel other than Panel of State Standing Counsel in Supreme Court of India shall be engaged, unless approved in prior point of time; else the Ld. Advocate General of the State of Goa shall appear in Supreme Court of India in all matters in the Supreme Court of India.

4. The Standing Counsel shall be paid ₹ 5,500/- (Rupees five thousand five hundred only) per effective appearance before Hon'ble Supreme Court of India and also they shall be entitled to a fee of ₹ 1,000/- (Rupees one thousand only) for every drafting of Affidavit or Special Leave Petition.

The above instructions shall be scrupulously followed by all the Departments concerned.

By order and in the name of the Governor of Goa.

Vasanti H. Parvatkar, Under Secretary, Law (Estt.).

Porvorim, 15th May, 2013.

Order

File No. LS/1077/93(Part)/1365

Government of Goa in consultation with the Ld. Advocate General of the State of Goa is pleased to appoint Adv. Pratap Venugopal C/o M/s. K. J. John & Company, the Firm of Lawyers as Advocate on Record for the State of Goa and to represent for the State of Goa before the Mahadayi Water Dispute Tribunal, Ministry of Water Resources, Government of India, Lok Nayak Bhawan, Khan Market, New Delhi with immediate effect.

2. Mr. Pratap Venugopal shall be paid ₹ 5,500/- (Rupees five thousand five hundred only) per appearance.

By order and in the name of the Governor of Goa.

N. P. Singnapurker, Under Secretary, Law (Estt.).
Porvorim, 18th September, 2012.

Notifications by the High Court of Judicature Appellate Side, Bombay

No. A.3902/G/2013

The Hon'ble the High Court is pleased to make the following postings:

Senior Civil Judges

Sr. No.	Name & present posting	New posting
1	2	3
1.	Shri Sandeep J. Natekar, Civil Judge, Senior Division, Mapusa, District Panaji	Civil Judge, Senior Division, Vasco-da-Gama, District Margao vice Shri Ashley L.C. Noronha.
2.	Ms. Sayonara Laad, Civil Judge, Senior Division, Ponda, District Panaji	Civil Judge, Senior Division, Mapusa, District Panaji vice Ms. Vijaya V. Ambre.
3.	Shri Ashley L. C. Noronha, Civil Judge, Senior Division, Vasco-da-Gama, District Margao	Civil Judge, Senior Division, Mapusa, District Panaji vice Ms. Durga V. Madkaikar.
4.	Ms. Vijaya V. Ambre, Civil Judge, Senior Division, Mapusa, District Panaji	Civil Judge, Senior Division, Margao vice Shri Devidas M. Kerkar.
5.	Ms. Durga V. Madkaikar, Ad hoc Civil Judge, Senior Division, Mapusa, District Panaji	Ad hoc Civil Judge, Senior Division, Ponda, District Panaji vice Ms. Sayonara Laad.
6.	Shri Devidas M. Kerkar, Ad hoc Civil Judge, Senior Division, District Margao	Ad hoc Civil Judge, Senior Division, Mapusa, District Panaji vice Shri Sandeep J. Natekar,

Note:

- (a) The Principal District and Sessions Judges are requested to inform the concerned Judicial Officers about their transfers and change of rank by giving them a copy of this notification.
- (b) The Hon'ble the Chief Justice and Hon'ble Administrative Judges have been pleased to direct that all the officers under orders of Annual General Transfers should in consultation with the Principal District Judges of the respective stations, leave charge during vacation period in such a manner that after utilizing admissible joining period, normally they take charge at new station on the date of re-opening before office hours. This is necessary to ensure that on re-opening of Courts after vacation, all the Judicial Officers are functional at new station.
- (c) Courts re-open after vacation on 10th June, 2013.
- (d) The Judicial Officers under order of transfer are informed that any representations that will be made by them against order of transfer will not be entertained unless they have taken charge of their new postings.
- (e) The Judicial Officers who are under order of transfer are directed (a) to finish by judgments all cases in which hearing has already been concluded and (b) should endeavor to dispose of all part-heard cases before handing over charge.
- (f) (*) Judicial Officers not due for transfer and who are transferred on their request are not entitled to Transfer Grants/Allowances.
- (g) Representations received till date have been considered and decision taken thereon are reflected in the order.

High Court, Bombay,

Date: 9th May, 2013.

S. B. Shukre,
Registrar General.

No. A.3902/G/2013

The Hon'ble the High Court is pleased to make the following postings:

Civil Judges, Junior Division

Sr. No.	Name & present posting	New posting
1	2	3
1.	Ms. Dvijple @ Dvija V. Patkar, Civil Judge, Junior Division & J.M.F.C., Panaji	Civil Judge, Junior Division & J.M.F.C., Margao vice Shri Bosco Gaudentius F. Roberts.
2.	Ms. Sharmila Anant Patil, Civil Judge, Junior Division & J.M.F.C., Vasco-da-Gama, Margao	Civil Judge, Junior Division & J.M.F.C., Ponda, Panaji vice Ms. Pooja C. Kavlekar.
3.	Ms. Pooja C. Kavlekar, Civil Judge, Junior Division & J.M.F.C., Ponda, Panaji	Civil Judge, Junior Division & J.M.F.C., Margao, vice Ms. Sae Anil PrabhuDesai.
4.	Shri Bosco Gaudentius F. Roberts, Civil Judge, Junior Division & J.M.F.C., Margao	Civil Judge, Junior Division & J.M.F.C., Panaji vice Ms. Dvijple@Dvija V. Patkar.
5.	Ms. Vijayalaxmi R. Shivolkar, Civil Judge, Junior Division & J.M.F.C., Pernem, Panaji	Civil Judge, Junior Division & J.M.F.C., Canacona Margao vice Shri Ram Subrai Prabhu Dessai.
6.	Shri Ram Subrai Prabhu Desai, Civil Judge, Junior Division & J.M.F.C., Canacona, Margao	Civil Judge, Junior Division & J.M.F.C., Pernem, Panaji vice Ms. Vijayalaxmi R. Shivolkar.
7.	Shri Sudhir S. Shirgaonkar, Civil Judge, Junior Division & J.M.F.C., Bicholim, Panaji	Civil Judge, Junior Division & J.M.F.C., Sanguem, Margao vice Ms. Artikumari N. Naik.
8.	Ms. Sae Anil PrabhuDesai, Civil Judge, Junior Division & J.M.F.C., Margao	Civil Judge, Junior Division & J.M.F.C., Vasco-da-Gama, Margao vice Ms. Sharmila Anant Patil.
9.	Ms. Artikumari N. Naik, Civil Judge, Junior Division & J.M.F.C., Sanguem, Margao	Civil Judge, Junior Division & J.M.F.C., Bicholim, Panaji vice Shri Sudhir S. Shirgaonkar.

Note:

- (a) The Principal District and Sessions Judges are requested to inform the concerned Judicial Officers about their transfers and change of rank by giving them a copy of this notification.
- (b) The Hon'ble the Chief Justice and Hon'ble Administrative Judges have been pleased to direct that all the officers under orders of Annual General Transfers should in consultation with the Principal District Judges of the respective stations, leave charge during vacation period in such a manner that after utilizing admissible joining period, normally they take charge at new station on the date of re-opening before office hours. This is necessary to ensure that on re-opening of Courts after vacation, all the Judicial Officers are functional at new station.
- (c) Courts re-open after vacation on 10th June, 2013.
- (d) The Judicial Officers under order of transfer are informed that any representations that will be made by them against order of transfer will not be entertained unless they have taken charge of their new postings.
- (e) The Judicial Officers who are under order of transfer are directed (a) to finish by judgments all cases in which hearing has already been concluded and (b) should endeavor to dispose of all part-heard cases before handing over charge.
- (f) (*) Judicial Officers not due for transfer and who are transferred on their request are not entitled to Transfer Grants/ Allowances.
- (g) Representations received till date have been considered and decision taken thereon are reflected in the order.

High Court, Bombay,

Date: 9th May, 2013.

S. B. Shukre,
Registrar General.

No. A.1201/G/2013

The Hon'ble the High Court is pleased to make the following postings:

District Judges and Additional Sessions Judges

Sr. No.	Name & present posting	New posting
1	2	3
1.	Shri D. S. D'Costa, District Judge-1 and Additional Sessions Judge, Margao	District Judge-I and Additional Sessions Judge, Mapusa, District Panaji vice Shri P. V. Sawaikar.
2.	Shri P. V. Sawaikar, District Judge-1 and Additional Sessions Judge, Mapusa, Panaji	District Judge-1 and Additional Sessions Judge, Margao vice Shri D. S. D'Costa.

Ad hoc District Judges and Additional Sessions Judges

Sr. No.	Name & present posting	New posting
1	2	3
3.	Ms. Vijaya D. Pol, Ad hoc District Judge-1 & Additional Sessions Judge, Margao	Ad hoc District Judge-1 & Additional Sessions Judge, Panaji vice Ms. V. M. Prabhu-Tendulkar.
4.	Ms. V. M. Prabhu-Tendulkar(*) ad hoc District Judge-1 & Additional Sessions Judge, Panaji	Ad hoc District Judge-1 & Additional Sessions Judge, Margao vice Ms. Vijaya D. Pol.

Note:

- (a) The Principal District and Sessions Judges are requested to inform the concerned Judicial Officers about their transfers and change of rank by giving them a copy of this notification.
- (b) The Hon'ble the Chief Justice and Hon'ble Administrative Judges have been pleased to direct that all the officers under orders of Annual General Transfers should in consultation with the Principal District Judges of the respective stations, leave charge during vacation period in such a manner that after utilizing admissible joining period, normally they take charge at new station on the date of re-opening before office hours. This is necessary to ensure that on re-opening of Courts after vacation, all the Judicial Officers are functional at new station.

- (c) Courts re-open after vacation on 10th June, 2013.
- (d) The Judicial Officers under order of transfer are informed that any representations that will be made by them against order of transfer will not be entertained unless they have taken charge of their new postings.
- (e) The Judicial Officers who are under order of transfer are directed (a) to finish by judgments all cases in which hearing has already been concluded and (b) should endeavor to dispose of all part-heard cases before handing over charge.
- (f) (*) Judicial Officers not due for transfer and who are transferred on their request are not entitled to Transfer Grants/Allowances.
- (g) Representations received till date have been considered and decision taken thereon are reflected in the order.

High Court, Bombay,

Date: 9th May, 2013.

S. B. Shukre,
Registrar General.

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Department of Mines & Geology

Directorate of Mines & Geology

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Order

No. 01/PIO-APPOINT/ADM/2012-Mines/1276

Read: Order No. 01/01/2006-Mines/778 dated 5-07-2006.

In partial modification to the Order No. 01/01/2006-Mines/778 dated 5-07-2006 read at above and in pursuance of Section 5 of Right to Information Act, 2005 (Central Act No. 22 of 2005) Shri Parag M. Nagarcenkar, Assistant Director of Mines & Geology is hereby designated as State Public Information Officer.

The Director of Mines & Geology will be the First Appellate Authority under the Right to Information Act, 2005 against the decisions of the State Public Information Officer/State Assistant Public Information Officer as far as the Directorate of Mines & Geology is concerned.

The Order referred to above stands modified to this effect.

Prasanna A. Acharya, Director (Mines & Geology).

Panaji, 9th August, 2012.

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Corrigendum

No. DMG/BBC/2012/2200

In partial modification to the Order No. DMG/BBC/2012/2123 dated 12-11-2012, 'The other members of Committee are as follows' is to be read as below;

The other members of Committee are as follows;

- | | |
|--|-----------------------|
| 1) President of Goa Barge Association | ... Member. |
| 2) Member of Legislative Assembly, Curchorem | ... Member. |
| 3) Captain of Ports, Panaji | ... Member Secretary. |

Prasanna A. Acharya, Director and ex office Joint Secretary (Mines & Geology).

Panaji, 20th November, 2012.

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Department of Official Language and Public Grievances

Directorate of Official Language

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Order

No. 12/21/2013/DOL/Comp-Dev-Fonts/232

The Government of Goa is pleased to constitute the Committee to prepare draft policy for making websites Multilingual of all Government offices/undertakings and prepare Devnagri software for the computers.

Following shall be the composition of this Committee:

1. Director, Official Language – Chairman.
2. Director, Dept. of Information Technology – Member.
3. Shri Ramrao Wagh, Associate Prof., Dept. of Computer Science & Technology, Goa University (Member of the Advisory Board for Effective Implementation of Official Language Act)

4. Shri Vithal Sukhtankar, – Member.
Associate Prof., IT & Office
Management, Goa Institute
of Management (Member
of the Advisory Board for
Effective Implementation
of Official Language Act)

5. Venkatesh Prabhu, – Member.
Web consultant & Specialist
in Indian Languages &
computing, Ganeshpuri,
Mapusa

6. Sr. Translator (Marathi) – Office
Co-ordinator.

The Committee may opt more members as and when required during the process of making draft policy.

The tenure of the Committee shall be 90 days from the date of issuing this order in Official Gazette and submit the report for the work assigned above within stipulated period.

The non-official members of the Committee shall be entitled for sitting honorarium admissible as per Government orders in force. The expenses incurred for this purpose will be met from the Budget provision of this Directorate.

By order and in the name of the Governor of Goa.

Dr. *Prakash Vazrikar*, Director & ex officio Joint Secretary (Official Language).

Panaji, 23rd May, 2013.

Department of Personnel

Order

File No. 5/8/2013-PER

Read: Notification No. 23/1/87-GA&C(Vol.I) dated 09-05-2013.

Consequent upon formation of new Department viz 'Departments of Handicrafts, Textile & Coir' vide notification read above, the work attached to the said Department is hereby allocated to the Under Secretary (Industries), until further orders.

The Under Secretary (Industries) shall initiate the proposals for creation of new posts, transfer of existing posts attached to the TCP Section of State Directorate of Craftsmen Training alongwith the incumbents to the newly created Department of Handicrafts, Textile & Coir, etc. with the

Government approval, till the said Department is made functional.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 21st May, 2013.

Order

File No. 2/7/76-PER(Vol.III)Part

Read: 1) Order No. 2/7/76-PER(Vol.III)(Part) dated 02-04-2002.

2) Order No. 2/7/76-PER(Vol.III)Part dated 08-12-2010.

3) Order No. 2/7/76-PER(Vol.III)Part dated 18-12-2010.

The constitute of Departmental Selection Committee for the post of Police Sub-Inspector in the Police Department shall be as follows:

1. Superintendent of Police – Chairman.
(CID/Special Branch)
2. Superintendent of Police – Member.
(South)
3. Under Secretary (Home-II) – Member.

The orders cited shall stand modified to this extent.

The Order shall come into force with immediate effect.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 22nd May, 2013.

Order

File No. 6/12/2011-PER(A)

Smt. Meena Priolkar, Under Secretary (Budget-II) shall hold charge of the post of Under Secretary (Industries & Labour) in addition to her own duties, with immediate effect and until further orders, thereby relieving Shri Damodar S. Morajkar of the charge.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 23rd May, 2013.

Order

File No. 6/12/2011-PER

The Governor of Goa is pleased to order transfer and posting of the following Senior Scale Officers of Goa Civil Service, with immediate effect, in public interest:

Sr. No.	Name of the officer	Present posting	Transferred as
1	2	3	4
1.	Shri Y. B. Tavde	Project Director, District Rural Development Agency, South	Chief Officer, Mormugao Municipal Council, thereby relieving Smt. Deepali D. Naik, Chief Officer, Margao Municipal Council of the additional charge.
2.	Shri P. K. Velip Kankar	Additional Collector-I, North	Project Director, District Rural Development Agency, South with additional charge of Member Secretary, Ravindra Bhavan, Margao.
3.	Smt. Shabari Manjrekar	Additional Director of Panchayat-II	Managing Director, Goa Co-operative Marketing & Supply Federation, Panaji.
4.	Shri L. S. Pereira	Managing Director, Goa Co-operative Marketing & Supply Federation	Additional Director of Panchayat-II
5.	Shri Damodar S. Morajkar	Under Secretary (Industries & Labour)	On ad hoc promotion posted as Additional Collector-II, South.
6.	Smt. Sandhya Kamat	Additional Collector-II, South	Additional Collector-I, South thereby relieving Shri N. S. Navti of the additional charge.

Shri Mihir Vardhan, Collector, North holding additional charge of the post of Director of settle-

ment and Land Records shall also hold charge of the post of Inspector General of Prisons in addition to his own duties, until further orders thereby relieving Dr. Jayadev Sarangi, IAS, Inspector General of Prisons of the main charge of the Inspector General of Prisons. The posting of Dr. Jayadev Sarangi is being decided separately.

Shri N. S. Navti, Joint Chief Electoral Officer shall hold charge of the post of Additional Collector-I, North, in addition to his own duties, until further orders.

Shri M. K. Vasta, Secretary, Goa State Information Commission shall hold charge of the post of Secretary, Goa State Election Commission, in addition to his own duties, until further orders.

Shri Prasad V. Lolayekar, Director of Art & Culture is relieved from the additional charge of the post of O.S.D. to Chief Minister with immediate effect.

Smt. Madhura V. Naik, shall continue to discharge the full fledged duties of Deputy Director (Admn.), Public Works Department as a stop gap arrangement allowing her to draw salary against the vacant post of Joint Secretary (Protocol), until further orders.

The ad hoc promotion of Shri Damodar S. Morajkar shall initially for a period of one year or till the post is filled on regular basis whichever is earlier.

The above ad hoc promotion will not bestow on the promoted Officer any claim for regular appointment and the service rendered on ad hoc basis in the Grade will not count for the purpose of seniority in that grade or for eligibility for promotion to the next higher grade.

The posting of Officers at Serial Nos. 1, 2 & 3 shall be on deputation and shall be governed by standard terms of deputation as contained in Office Memorandum No. 13/4/74-PER dated 12-02-1999, and as amended.

All the Officers shall complete handling and taking over formalities by 28-05-2013. Non-compliance of order shall be viewed seriously.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 23rd May, 2013.

Department of Power

Chief Electrical Engineer

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Order

No. CEE/Estt-1-11-81(Trans)AE(B)/838

Government is pleased to order the transfer and posting of the following Assistant Executive Engineers (Elec.)/Assistant Engineers (Elec.) in the offices shown against their respective names, with immediate effect, in public interest:

Sr. No	Name of the Official	Present place of posting	Place of posting on transfer
1	2	3	4
1.	Shri A. M. Mulla	Assistant Engineer, Shift Duty (S/S), Ponda under Elec. Div. III, Ponda	Assistant Engineer, Sub-Div. I, MRT, under Elec. Div. VIII, MRT, Margao vice Shri Jayram Sawant transferred.
2.	Shri Jayram T. Sawant	Assistant Executive Engineer, Sub-Div. I, MRT, under Elec. Div. VIII, MRT, Margao	Assistant Executive Engineer, Shift Duty (S/S), Ponda under Elec. Div. III, Ponda, vice Shri A. M. Mulla transferred.
3.	Shri Mario J. Furtado	Assistant Engineer, Sub-Div. V (O&M), Elec. Div. IV, Margao	Assistant Engineer (Tech.), O/o Superintending Engineer, Circle I (S), Margao vice Shri Dinesh M. Mahale transferred.
4.	Shri Dinesh M. Mahale	Assistant Engineer (Tech.), O/o Superintending Engineer, Circle I (S), Margao	Assistant Engineer, Sub-Div. II (O&M) under Elec. Div. IV, Margao vice Shri Alvito Fernandes transferred.
5.	Shri Alvito Fernandes	Assistant Executive Engineer, Sub-Div. II (O&M), under Elec. Div. IV, Margao	Assistant Executive Engineer, Shift Duty (S/S), under Elec. Div. XII, Xeldem vice Shri Nabisab M. Deshpaiik transferred.
6.	Shri John A. P.	Assistant Executive Engineer, Sub-Div. IV (O&M), under Elec. Div. I, Panaji	Assistant Executive Engineer, Shift Duty (S/S), Amona under Elec. Div. IX, Tivim vice Shri Umesh Shirodkar transferred.
7.	Shri Gangu Rama Kutticar (ST)	Assistant Engineer (Com.), Sub-Div. IV, under Elec. Div. I, Panaji	Assistant Engineer, Sub-Div. IV (O&M), under Elec. Div. I, Panaji vice Shri John A. P. transferred.
8.	Shri Carvalho Noel A. Ivo	Assistant Engineer (Tech. Section), O/o Executive Engineer, Elec. Div. I, Panaji	Assistant Engineer (Com.), Sub-Div. IV, under Elec. Div. I, Panaji vice Shri Gangu Rama Kutticar transferred.
9.	Shri Oscar Rebeiro	Assistant Engineer, Sub-Div. III (O&M), under Elec. Div. VI, Mapusa	Assistant Engineer (Tech. Section), O/o Executive Engineer, Elec. Div. IX, Tivim vice Shri Jose Fernandes transferred.
10.	Shri Jose S. Fernandes	Assistant Engineer (Tech. Section), O/o Executive Engineer, Elec. Div. IX, Tivim	Assistant Engineer, Sub-Div. III (O&M), under Elec. Div. VI, Mapusa vice Shri Oscar Rebeiro transferred.
11.	Shri Nabisab M. Deshpaiik	Assistant Executive Engineer, Shift Duty (S/S), under Elec. Div. XII, Xeldem	Assistant Executive Engineer (Com.), Sub-Div. I, under Elec. Div. VII, Curchorem vice Shri Carlos Fernandes transferred.

1	2	3	4
12.	Shri Sathar Khan Babakhan	Assistant Engineer, (Com.) Sub-Div. IV under Elec. Div. XVI, Margao	Assistant Engineer (Tech. Section), O/o Executive Engineer, Elec. Div. IV, Margao vice Shri Paulito John Veigas transferred.
13.	Shri Carlos Fernandes	Assistant Engineer (Com.), Sub-Div. I under Elec. Div. VII, Curchorem	Assistant Engineer (Tech.), O/o Executive Engineer, Elec. Div. IV, Margao vice Shri Deepak Naik transferred.
14.	Shri Paulito John Veigas	Assistant Engineer (Tech. Section), O/o Executive Engineer, Elec. Div. IV, Margao	Assistant Engineer (Com.), Sub-Div. IV, under Elec. Div. XVI, Margao vice Shri Satttar Khan Babakhan transferred.
15.	Shri Diogo J. Coutinho	Assistant Engineer (Tech.), O/o Executive Engineer, Elec. Div. VIII, MRT, Margao	Assistant Engineer (Tech.), O/o Executive Engineer, Elec. Div. IV, Margao vice Shri Katigeri V. M. transferred.
16.	Shri Katigeri V. M.	Assistant Engineer (Tech.), O/o Executive Engineer, Elec. Div. IV, Margao	Assistant Engineer (Tech.), O/o Executive Engineer, Elec. Div. VIII, MRT, Margao vice Shri Diogo J. Coutinho transferred.
17.	Shri Uday Vernekar	Assistant Engineer, Sub-Div. II, Porvorim (O&M), under Elec. Div. VI, Mapusa	Assistant Engineer, Shift Duty (S/S), Tivim under Elec. Div. IX, Tivim against vacant Post.
18.	Shri Anil Kumar	Assistant Engineer (Com.), Sub-Div. II, Panaji under Elec. Div. I, Panaji	Assistant Engineer, Sub-Div. II, Porvorim (O&M) under Elec. Div. VI, Mapusa vice Shri Uday Vernekar transferred.
19.	Shri Sandeep Prabhu Dessai	Assistant Executive Engineer, Sub-Div. VI (O&M) under Elec. Div. IV, Margao	Assistant Executive Engineer (Tech.), O/o Engineer Elec., Div. IV, Margao vice Shri Rajendra Sawant transferred.
20.	Shri Rajendra Sawant	Assistant Engineer (Tech.), O/o Executive Engineer, Elec. Div. IV, Margao	Assistant Engineer, Sub-Div. VI (O&M), under Elec. Div. IV, Margao vice Shri Sandeep Prabhu Dessai transferred.
21.	Shri Sebastiao Fernandes	Assistant Executive Engineer, Sub-Div. II (O&M), under Elec. Div. V, Bicholim	Assistant Executive Engineer (Com.), Sub-Div. III, Valpoi under Elec. Div. V, Bicholim vice Shri Deepak P. Gawas transferred.
22.	Shri Deepak P. Gawas	Assistant Engineer (Com.), Sub-Div. III, Valpoi under Div. V, Bicholim	Assistant Engineer (Tech.), O/o Executive Engineer, Elec. Div. V, Bicholim vice Shri D. Gireesan Retired on superannuation.
23.	Shri Shailesh.K Burye	Assistant Engineer (Com.), Sub-Div. II, Sanquelim under Div. V, Bicholim	Assistant Engineer, Sub-Div. II (O&M), under Elec. Div. V, Bicholim vice Shri Sebastiao Fernandes transferred.

1	2	3	4
24.	Shri Umesh Shirodkar	Assistant Engineer, Shift Duty (S/S), Amona under Elec. Div. IX, Tivim	Assistant Engineer (Com.), Sub-Div. II, Sanquelim under Elec. Div. V, Bicholim vice Shri Shailesh.K Burye transferred.
25.	Shri N. K. Jain	Assistant Executive Engineer (O&M), Sub-Div. II, under Elec. Div. XVII, Mapusa	Assistant Executive Engineer (COM.), Sub-Div. I, under Elec. Div. VI, Mapusa vice Shri Ivo Dias transferred.
26.	Shri Ivo Dias	Assistant Engineer (COM.), Sub-Div. I, under Elec. Div. VI, Mapusa	Assistant Engineer, Sub-Div. II (O&M), under Elec. Div. XVII, Mapusa vice Shri N. K. Jain transferred.
27.	Shri Deepak Naik	Assistant Executive Engineer (Tech.), O/o Executive Engineer, Elec. Div. IV, Margao	Assistant Executive Engineer, Sub-Div. V (O&M), Elec. Div. IV, Margao vice Shri Mario Furtado transferred.
28.	Shri P. S. Acharia	Assistant Engineer, Sub-Div. III (Amona) under Elec. Div. XIII, Kadamba Plateau	Assistant Engineer, Shift Duty (S/S), under Elec. Div. XII, Xeldem alongwith Post.
29.	Shri Nitin C. Verlekar	Assistant Engineer (Tech.), O/o Executive Engineer, Elec. Div. XI, Vasco	Assistant Engineer (Com), Sub-Div. III, Mormugao under Elec. Div. XI, Vasco vice Shri Jose Mario T. Valles transferred.
30.	Shri Jose Mario T. Valles	Assistant Engineer (Com.), Sub-Div. III, Mormugao under Elec. Div. XI, Vasco	Assistant Engineer (Tech.), O/o Executive Engineer, Elec. Div. XI, Vasco vice Shri Nitin C. Verlekar transferred.

The Officer listed at Sr. Nos. 1, 4, 7, 10, 12, 13, 15, 18, 19, 22, 23, 26, 27, 28 and 30 shall move first.

The above Officer shall report to the new place of posting immediately without availing joining time and any kind of leave.

The following officer shall hold charge of the post indicated in Col. 4 in addition to their own duties.

Sr. No	Name of the Official	Present place of posting	Additional charge
1	2	3	4
1.	Shri Damodar Naik	Assistant Engineer (Tech.), O/o Chief Electrical Engineer, Panaji	Assistant Engineer (Com.) Sub-Div. II, Panaji under Elec. Div. I, Panaji vice Shri Anil Kumar transferred.
2.	Shri Dinkar A. Bandekar	Assistant Executive Engineer (Tech.), O/o Chief Electrical Engineer, Panaji	Assistant Executive Engineer (Tech. Section), O/o Executive Engineer, Elec. Div. I, Panaji vice Noel Carvalho transferred.

By order and in the name of Governor of Goa.

Lekshmanan S. Chief Electrical Engineer & ex officio Addl. Secretary.

Panaji, 17th May, 2013

Department of Public Health

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Order

No. 47/29/2005-I/PHD

Read: Order No. 9-124-ADM/DHS/2008/1911
dated 16-09-2008.

Government of Goa is pleased to redeploy Dr. Mangurish Audi, Medical Officer, Hospicio Hospital, Margao to T. B. Hospital, Margao with immediate effect.

By order and in the name of the Governor of Goa.

D. G. Sardesai, Addl. Secretary (Health).

Porvorim, 20th May, 2013.

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Order

No. 45/1/2007-I/PHD

Read: Memorandum No. 45/1/2007-I/PHD
dated 14-03-2013.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/I/5/24(4)/2007/Vol.I/328 dated 08-02-2013, Government is pleased to appoint Dr. Nelishka Evelyn Marina Gomes, to the post of Junior Pathologist (Group "A" Gazetted) in the Pay Band—3, ₹ 15,600-39,100+5,400/- (Grade Pay) under the Directorate of Health Services, Panaji with immediate effect as per the terms and conditions contained in the Memorandum cited above and post her at Pathologist Blood Bank, Hospicio Hospital, Margao.

Dr. Nelishka Evelyn Marina Gomes shall be on probation for a period of two years.

She has been declared medically fit by the Medical Board.

The appointment is made subject to the verification of her character and antecedents. In the event of any adverse matter noticed by the Government on verification of character and antecedents, her services shall be terminated.

By order and in the name of the Governor of Goa.

D. G. Sardesai, Addl. Secretary (Health).

Porvorim, 22nd May, 2013.

Certificate

No. 45/1/2005-I/PHD

Read: Government Order No. 45/1/2005-I/PHD
dated 29-11-2012.

Certified that the character and antecedents of Dr. Ameeta Panandikar, Junior Anaesthetist (Group "A" Gazetted) under the Directorate of Health Services has been verified by the District Magistrate, South Goa District, Margao-Goa and nothing adverse has come to the notice of the Government.

She has also been declared medically fit by the Medical Board, Goa Medical College, Bambolim.

D. G. Sardesai, Addl. Secretary (Health).

Porvorim, 13th May, 2013.

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Department of Revenue

Office of the District Magistrate

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Order

No. 33/1/99-CTN/MAG/4731

As provided in Para 8(i) of the Government of India Order No. F-1203/1/2007-BC.II dated 19-02-2008 and as decided in the 1st meeting of the South Goa District Level Monitoring Committee of the Cable Television Network, held on 21-05-2013, Shri Santo G. Naik, Information Assistant, Department of Information and Publicity (District Office, Margao) is hereby appointed as a Nodal Officer for the South Goa District to receive the complaints pertaining to Cable Television Network Operators. His email Id is shantodip@gmail.com and dipgao@gmail.com.

The Complaint Cell is functioning on the ground floor of the New Collectorate Building, Near KTC Stand, Margao.

N. D. Agrawal, Collector & District Magistrate (South Goa).

Margao, 21st May, 2013.

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Order

No. 33/1/99-CTN/MAG/4544

Read: 1. Notification No. 3102/1/2008-BC-II dated 07-01-2013 issued by Ministry of Information & Broadcasting, Shastri Bhavan, A Wing, Dr. Rajendra Prasad Rd., New Delhi-110001.

Whereas, as per closure (a) (i) of Section 2 of the Cable Television Networks (Regulation) Act, 1995 (hereinafter called "the Act") the District Magistrate, South Goa is designated as "Authorised

Officer" within the jurisdiction of the South Goa District.

And whereas as per Sections 11 and 12 of the Act, the authorized officer has power to seize and confiscate the equipment of the cable operator for violation of Sections 5 and 6 of the Cable TV Networks (Regulation) Act, 1995 i.e. violation of Programme Code and Advertisement Code prescribed under Rules 6 & 7 of the Cable Television Network Rules, '94 respectively.

And whereas, it has been noticed that enforcement of said Act in many parts of the country is not satisfactory either due to lack of knowledge or mechanism to enforce the same.

And whereas, it was unanimously agreed in the 25th State Information Ministers Conference (SIMCON) held on 16th April, 2005 at Vigyan Bhavan, New Delhi that an enforcement mechanism needs to be constituted to enforce the provisions of Cable Television Networks (Regulation) Act, 1994.

Now therefore, it has been decided to constitute a "District Level Monitoring Committee" for the Programmes and Advertisement telecast by Cable TV Channels at the District Level to enforce the Cable Act & Rules. In pursuance of the decision, the following Committee is hereby constituted;

- | | |
|---|---|
| 1. The Collector & District Magistrate, South Goa | – Chairman. |
| 2. District Information & Publication Officer or Officer nominated by the Department of Information & Publicity | – Member Secretary. |
| 3. Member of recognized media Bodies (local Member of PCI, Doordarshan, AIR) | – Shri Arvind Tengse, Photographer of Times of India. |
| 4. Superintendent of Police, South | – Member. |
| 5. Additional Collector-I, South Goa (Public Relation Officer) | – Member. |
| 6. Principal of Carmel Women College | – Member. |
| 7. Shri Arun Pandey, Director of Anyay Rahit Zindagi, (ARZ) NGO, Zuarinagar, Goa | – Member. |
| 8. Shri Arun S. Nadkarni, Principal, G. R. Kare College of law | – Member. |

9. Psychologist (To be nominated by District Magistrate) – Member.

10. Sociologist (To be nominated by District Magistrate) – Member.

The nominated members shall have a term of two years. They shall not be eligible for re-nomination.

The scope of the Committee shall be;

- (i) A Complaint Cell headed by a Nodal Officer at District Level should be established and wide publicity be given regarding the constitution of Monitoring Committee and procedure followed by it, including putting it on website of the State/UT;
- (ii) The Committee shall ordinarily meet once in two months to look into the complaints brought to its notice by individuals/organization or take suo moto notice of violation of provision of Cable TV Networks Rules, 1994.
- (iii) In case the complaint concerns content carried locally by Cable TV Network at its own level, the Committee may call for footage/VCD of the programme/advertisement against which complaint is considered and the common pool of wisdom available within the Committee may form a view of about a violation has taken place. In case, the Committee is of the view that violation has taken place, the Authorised Officer may take action as per Section 11 of the Act after issuing show cause notice to the Network and giving them an opportunity to be heard. The representation of the network may also be placed before the Committee for the final discussion regarding the action to be taken on it by the Authorised Officer.
- (iv) In case the Complaint pertain to National/ regional satellite channel, the Committee may forward its recommendation through it State Level Monitoring Committee to the Government of India. On receipt of such complaint, Central Government shall call for footage/VCD of the concerned programme/advertisement and take a view regarding the same in the inter-ministerial Committee constituted in the Ministry of Information and Broadcasting. An advance copy of the recommendation may also be sent directly to the Central Government.
- (v) The violation of programme and advertisement code are dealt with by the Central

Government in the following manner depending on the seriousness of the violation;

- (a) An advisory is given to the Channel.
- (b) Warning is issued.
- (c) Channel is required to scroll and apology for a specified number of days.
- (d) Broadcasting is suspended for specified time period.

The District Monitoring Committee can likewise take action against Local Cable Operators in respect of content carried locally only. However, no such action may be taken at their level in respect of National/Regional satellite Channels.

The first meeting of the Committee will be held on 21-05-2013 at 03:00 p.m in the Conference Hall, 4th Floor, New Collectorate Office Building, Near KTC, Margao, Goa.

Given under my hand and seal of this office this 9th day of May, 2013.

N. D. Agrawal, District Magistrate & Chairman for District Monitoring Committee (South Goa).

Corrigendum

No. 33/1/99-CTN/MAG/4853

Read: This office Order No. 33/1/99-CTN/MAG/4731 dated 21-05-2013

In partial modification of this office order of even No. dated 21-05-2013, in the first para on the fourth line and at the addressee, the name "Santo" may be read as "Shanto".

N. D. Agrawal, District Magistrate (South Goa).

Margao, 24th May, 2013.

Department of Social Welfare

Directorate of Social Welfare

Order

No. 13-226-2007-ADMN/PART IV/1831

Read: Memorandum No. 13/34/2011-SWD/458 dated 10-04-2013

On the recommendation of the Goa Public Service Commission vide their letter No. COM/1/5/44(2)/2012/369 dated 27-02-2013, the Government of Goa

is pleased to appoint Shri Devu Hari Gaonkar to the post of Assistant Director (SC/OBC Welfare) Group "B" Gazetted in Directorate of Social Welfare, Panaji on temporary basis in the pay scale of ₹ 9,300-34,800 with grade pay of ₹ 4,600/- and other admissible allowances with immediate effect as per the terms and conditions contained in the Memorandum cited above.

Shri Devu Hari Gaonkar shall be on a probation period for a period of two years.

Shri Devu Hari Gaonkar is declared medically fit as per report of Medical Board of Goa Medical College, Bambolim.

As per the report of District Magistrate, North Goa nothing adverse is reported regarding character and antecedents of Shri Devu Hari Gaonkar.

The expenditure towards pay and allowances of the Assistant Director (SC/OBC Welfare) shall be debited to the following Budget Head of Account:

"2235—Social Security & Welfare, 02—Social Welfare, 001—Direction & Administration, 01—Directorate of Social Welfare (Non-Plan), 01—Salaries.

By order and in the name of the Governor of Goa.

V. M. Paranjape, Director & ex officio Joint Secretary (Social Welfare).

Panaji, 17th May, 2013.

Department of Tourism

Order

No. 4/4(6-4) state committee/2013-14/13-DT/900

The Government of Goa is pleased to constitute a State Level Marketing and Promotion Committee under the Chairmanship of Hon'ble Tourism Minister and comprising of following Members:

Sr. No	Name/Designation	Particulars
1	2	3
1.	Shri Dilip Parulekar, Hon'ble Minister for Tourism	Chairman.
2.	Shri Nilesh Cabral, Chairman, GTDC	Vice-Chairman.

3. Pr. Secretary (Tourism)	Member.
4. Director of Tourism	Member.
5. Mr. Ralph D'Souza, Saligao, Goa	Member.
6. Mr. Mark Mendes, Anjuna, Goa	Member.
7. Mr. Ernest Dias, Calangute, Goa	Member.
8. Mr. Sanjeev Mendes, Margao, Goa	Member.
9. Mr. Gaurish Dhond, Panaji-Goa	Member.
10. Managing Director, GTDC	Member Secretary.

The following shall be the role & mandate of the Committee; in respect of all Marketing and Promotional activities, for Goa Tourism to be executed through SPV (GTDC).

- * The Committee will finalize Calendar of Events for the year, well in advance.
- * Allocate Marketing Budgets for various Promotional and Marketing Sub-Heads.
- * View Presentations made by various Agencies.
- * Decide upon Empanelment of various Agencies for Goa Tourism.
- * Finalize Branding Plans and marketing strategies for Goa Tourism and all other Promotional and Marketing related matters.
- * The Committee may appoint Special invitees/ Nominees/Experts as and when required.
- * The Committee shall set the procedures and finalize the standards for undertaking Marketing and Promotional activities for Goa Tourism.
- * The Marketing and promotional budgets allocated to the GTDC by State Government shall be sanctioned/authorized by the Committee as deemed fit.
- * The decision of the Committee regards Marketing and Promotional activities shall be final and binding.
- * The Committee will be at liberty to set its own procedures such as constituting Sub-Committees, delegate powers and take necessary decisions, in order to evolve effective and strategic branding campaign for

Goa Tourism, so that the Goan Industry derives maximum benefit of Marketing and Promotional exercise.

* The Committee will meet minimum three times in a year.

* The valid quorum for Meeting of the Committee shall be five members.

The tenure of the Non-Official Members shall be for a period of 1 year and may be extended by the State Government for a further period as specified. The State Government shall be at liberty to nominate other members after the expiry of 1 year tenure of the Non-Official Members.

Nikhil U. Desai, Director (Tourism).

Panaji, 22nd May, 2013.



Department of Tribal Welfare

Directorate of Tribal Welfare

Order

No. 1-151-2013-14/RTI/DTW/599

In exercise of powers conferred under Sec. 5(1), and 19(1), of the Right to Information Act, 2005 the following officers are designated as First Appellate Authority, Public Information Officer, and Asst. Public Information Officer for the Directorate of Tribal Welfare, Panaji-Goa.

Sr. No.	Designation	FAA/PIO/APIO
1	2	3
1. Director (Tribal Welfare)		First Appellate Authority.
2. Asst. Director (Tribal Welfare)		Public Information Officer.
3. Head Clerk		Asst. Public Information Officer.

All officers designated should perform their duties as laid down in the Right to Information Act, 2005.

This order shall supersede all previous order issued.

Arvind Bugde, Director (Tribal Welfare).

Panaji, 23rd May, 2013.

Department of Urban Development

Directorate of Municipal Development

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Order

No. 4/2/2010/PG/MOR/PART/547

Whereas vide letter No. 4/12/82-LAWD dated 30-01-87 issued by Under Secretary (PW & UD) it was conveyed that in case of construction for Port Operational area, the Mormugao Port Trust need not obtain prior permission before the execution of any works and that both i.e. the Municipality and planning Development Authority should be kept informed of the works to be taken up;

And whereas the State Government has reviewed the above decision and has rescinded the said letter, with immediate effect;

Now therefore, the Mormugao Port Trust is hereby required to submit layout/building plans of the area allotted to Mormugao Port Trust, alongwith a master plan for future development to the statutory authorities and not to undertake constructions without approval from the concerned authorities.

By order and in the name of the Governor of Goa.

Elvis P Gomes, Director & ex officio Additional Secretary (Municipal Admn./Urban Development).

Panaji, 23rd May, 2013.

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Notification

No. LSG/MUN/3182/68-C/PW&UD)/468

Read: Government Notification No. LSG/MUN/3182/68-C/PW&UD/1327, dated 31st August, 2007.

In exercise of the powers conferred by sub-section (3) of Section 71 of the Goa Municipalities Act, 1968 (Act 7 of 1969) (hereinafter called the 'said Act'), and in supersession of the Government Notification No. LSG/MUN/3182/68-CPW&UD/1327, dated 31st August, 2007, published in the Extraordinary Gazette, Series II No. 22 dated 31-08-2007, the Government of Goa hereby appoints Shri Satish B. Desai as the Additional

Director of Urban Development, for the purposes of the said Act, with effect from 25-02-2013.

He shall have jurisdiction over the whole of the State of Goa and shall exercise all the powers of the Director of Urban Development during the absence of the Director.

By order and in the name of the Governor of Goa.

Parimal Rai, Principal Secretary (Urban Development).

Panaji, 15th May, 2013.

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Notification

No. LSG/MUN/3182/68-C/PW&UD/469

Read: Government Notification No. LSG/MIN/3182/68-C/PW&UD/2648, dated 14-02-2012.

In exercise of the powers conferred by clause (11) of Section 2 read with sub-section (1) of Section 71 of the Goa Municipalities Act, 1968 (Act 7 of 1969) (hereinafter called the 'said Act'), and in supersession of the Government Notification No. LSG/MIN/3182/68-C/PW&UD/2648, dated 14-02-2012, published in the Official Gazette Series II No. 46 dated 16-02-2012, the Government of Goa hereby appoints Shri Elvis P. Gomes as the Director of Urban Development, for the purposes of the said Act, with effect from 21-03-2013.

By order and in the name of the Governor of Goa.

Parimal Rai, Principal Secretary (Urban Development).

Panaji, 15th May, 2013.

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Department of Vigilance

Directorate of Vigilance

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Order

No. 13/59/2005-VIG/(part)/921

- Read: 1) O.M. No. 13/59/2005-VIG/5650 dated 10-10-2005.
2) O.M. No. 13/59/2005-VIG/1221 dated 27-06-2006.
3) O.M. No. 13/59/2005-VIG/1114 dated 27-04-2007.

In supersession of the aforesaid Office Memoranda, the below mentioned officers are hereby designated as First Appellate Authority/(FAA), State Public Information Officer and Assistant Public Information Officer in terms of Section 5 of the Right to Information Act, 2005 (Central Act No. 22 of 2005) for the purpose of providing information under the said Act in the Directorate of Vigilance.

Name of the Office: Directorate of Vigilance

Sr. No.	Office/ /Branch	Designation of Officer	Officer under the Act
1	2	3	4
1.	General Admn./Vigilance Cell	Director of Vigilance, Deputy Director of Vigilance, Office Superintendent	First Appellate Authority Public Information Officer, Asstt. Public Information Officer.

1	2	3	4
2.	Technical Cell	Chief Technical Examiner, Senior Technical Examiner, Technical Examiner	First Appellate Authority, Public Information Officer, Asstt. Public Information Officer.
3.	Anti-Corruption Bureau	Superintendent of Police, Deputy Superintendent of Police, Police Inspector	First Appellate Authority, Public Information Officer, Asstt. Public Information Officer.

Amarsen Wamanrao Rane, Director (Vigilance).

Panaji, 23rd May, 2013.

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